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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.														
10/510,662	10/07/2004	Mauri Kangas	4208-4220	6135														
7590 Morgan & Finnegan 3 World Financial Center New York, NY 10281-2101		01/08/2008	<table border="1"><tr><td colspan="2">EXAMINER</td></tr><tr><td colspan="2">BAYOU, YONAS A</td></tr><tr><td>ART UNIT</td><td>PAPER NUMBER</td></tr><tr><td>2134</td><td></td></tr><tr><td colspan="2"><table border="1"><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td>01/08/2008</td><td>PAPER</td></tr></table></td></tr></table>		EXAMINER		BAYOU, YONAS A		ART UNIT	PAPER NUMBER	2134		<table border="1"><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td>01/08/2008</td><td>PAPER</td></tr></table>		MAIL DATE	DELIVERY MODE	01/08/2008	PAPER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/510,662	Applicant(s) KANGAS, MAURI	
	Examiner Yonas Bayou	Art Unit 2134	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 04 April 2003.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 October 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>10/07/2004</u> . | 6) <input type="checkbox"/> Other: _____  |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-28 are rejected under 35 U.S.C. 102(e) as being anticipated by Bacon et al., Pub. No.: 2002/0101991 A1 (hereinafter Bacon).

Referring to claims 1, 2, 13, 14, 24, 27 and 28, Bacon teaches a method of managing data presented to and received from a de-scrambling device, the method comprising:

receiving at least a first and a second data stream, each data stream comprising a plurality of packets and each packet having a header including a packet identifier

**[paragraphs 25 and 33; and fig. 4],**

alternately passing data from each data stream to a de-scrambling device **[paragraph 26, lines 1-10 and fig. 3; descriptor 340/345 corresponding to de-scrambling device],**

receiving de-scrambled packets from the de-scrambling device **[paragraph 26, lines 10-23 and fig. 3]** and

alternately passing data to at least a first and a second output, so restoring the first and second data streams in a de-scrambled form **[paragraph 26, lines 27-40 and figs. 2-3]**.

Referring to claims 3, 6, 15, 16 and 18, Bacon teaches a method of managing data presented to and received from a de-scrambling device, wherein at least one packet identifier of the packets of one of the data streams is modified before being passed to the de-scrambling device **[paragraph 20, lines 29-31 and para. 22]**.

Referring to claims 5 and 17, Bacon teaches a method of managing data presented to and received from a de-scrambling device, wherein the data streams include program specific information, wherein the program specific information is read from the data streams prior to passing packets to the de-scrambling device **[paragraphs 3-6]**.

Referring to claims 7 and 19, Bacon teaches a method of managing data presented to and received from a de-scrambling device, wherein the interface with the de-scrambling device conforms to European Standard EN50221**[para. 5]**.

Referring to claims 8 and 21, Bacon teaches a method of managing data presented to and received from a de-scrambling device, wherein some of the packets from one or more data streams bypass the de-scrambling device **[paragraph 26, lines 10-23]**.

Referring to claims 9, 10, 22 and 23, Bacon teaches a method of managing data presented to and received from a de-scrambling device, wherein the packets from first and second data streams are passed to the de-scrambling device on one of the rising or falling edges of a clock signal respectively **[para. 13, lines 27-29 and fig. 4]**.

Referring to claims 11, 12, 20 and 26, Bacon teaches a method of managing data presented to and received from a de-scrambling device, wherein the data streams are digital video broadcasting transport streams **[para. 16]**.

Referring to claim 25, Bacon teaches a method of managing data presented to and received from a de-scrambling device, a de-scrambling device comprising: an input for receiving a clock signal, a first and a second input buffer, a de-scrambling module and first and second output buffers, the de-scrambling device being arranged to clock input data into the first and second input buffers on one of the rising and falling edge of

the clock signal respectively and to clock data out of the output buffers on one of the rising and falling edge of the clock signal respectively **[para. 25 and fig. 4]**.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bacon et al., Pub. No.: 2002/0101991 A1 in view of Min, Patent No. 7,088,732 B2.

Referring to claim 4, Bacon teaches a method of managing data presented to and received from a de-scrambling device (see claim 1 above). Bacon further teaches receiving at least a first and a second data stream, each data stream comprising a plurality of packets and each packet having a header including a packet identifier **[paragraphs 25 and 33; and fig. 4]**. Bacon does not appear to explicitly teach managing data prior to passing packets to the de-scrambling device the packet identifiers of the data streams are compared with each other. However, Min teaches a synchronous signal detecting and PID extracting unit 210 extracts the 13-bit PID of a current received packet and stores the 13-bit PID. A PID storing unit 220 stores 32 PIDs

which a system demultiplexer may receive. A comparing unit 230 reads out the 32 PIDs from the PID storing unit 220 one by one and sequentially compares the PIDs which are extracted by the synchronous signal detecting and PID extracting unit 210 to the read out PIDs. A demultiplexer (DEMUX), in a MPEG-2 system, including the synchronous signal detecting and PID extracting unit 210, the PID storing unit 220, the comparing unit 230 and a transport packet and packetized elementary stream (PES) packet parser 240 determines kinds of data, such as audio, video and additional data of one program, and processes each type of the data. At this time, packets including information of audio, video and/or additional data which belong to different (e.g., non-tuned) programs are dropped [column 1, lines 44-61 and fig. 2]. Bacon and Min are analogous art because both teach comparing PIDs.

At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify the method of Bacon to include comparing the PIDs which are extracted by the synchronous signal detecting and PID extracting unit 210 to the read out PIDs of Min because in the comparing unit, if the PID of the current received packet and any one of the loaded PIDs match each other, a PID match signal is generated in order to accept the packet. After generating the PID match signal, the received packet is demultiplexed and a new packet of 188 bytes is received for processing, please see *KSR International Co. v. Teleflex Inc.*, 550 U.S., 82 USPQ2d 1385 (2007) for further interpretation.

**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yonas Bayou whose telephone number is 571-272-7610. The examiner can normally be reached on m-f, 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on 571-272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Yonas Bayou

12/31/2007

  
KAMBIZ ZAND  
SUPERVISORY PATENT EXAMINER